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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/362,953	07/28/1999	NISCHAL ABROL	QCPA990384CI	7496
23696	7590	10/05/2005	EXAMINER	
Qualcomm, NC 5775 Morehouse Drive San Diego, CA 92121			NGUYEN, PHUONGCHAU BA	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental  
Notice of Allowability**

Application No.

09/362,953

Examiner

Phuongchau Ba Nguyen

Applicant(s)

ABROL, NISCHAL

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4-29-5.
2. ☒ The allowed claim(s) is/are 1-12,14-21,23-24,22,25-29,31-32;Renumbered as 1-30 respectively.
3. ☒ The drawings filed on 28 July 1999 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 09/321,296.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>9-30-5</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                       |
|   | 9. <input type="checkbox"/> Other _____  |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Patel on 9-30-5.

3. The application has been amended as follows:

**Claim 26, line 5,**

---wherein said steps of choosing further comprises the sub-steps of "a.1) sending a prior RLP ACK comprising an RLP sequence number V(R) to a data sender; a.2) advancing said RLP sequence number V(R) by a predetermined sequence number window size to produce an advanced V(R); a.3) receiving an RLP new-data frame from said data sender having an RLP sequence number V(S); and a.4) choosing said acknowledgement frame type based on whether said V(S) is more window size is 128--- inserted into after the word "type".

**Claim 30 had been canceled.**

**Claim 31, line 1,**

"30" had been changed to ---26---

***Allowable Subject Matter***

4. The following is an examiner's statement of reasons for allowance:

Regarding claims 1-12, the prior art of the record fails to teach or suggest in a wireless communication system, a method of receiving a stream of information bytes comprising the step of "choosing on sequence number bit size from a predetermined set of sequence number bit sizes, wherein said step of choosing is based on sequence number values received in previous received frames, and further wherein each of the sequence number values corresponds to one of the information bytes," in combination with other limitations, as specified in the independent claim 1.

Regarding claims 14-19, the prior art of the record fails to teach or suggest in a wireless communication system, a method of sending a stream of information bytes comprising the steps of "extracting one sequence number bit size from said NAK, said one sequence number bit size belonging to a predetermined set of sequence number bit sizes; and sending a retransmit frame comprising a sequence number having a number of bits equal to said one sequence number bit size, wherein the sequence number corresponds to one of the information bytes," in combination with other limitations, as specified in the independent claim 14.

Regarding claims 20-25, the prior art of the record fails to teach or suggest in a wireless communication system, a method of sending a stream of information bytes comprising the steps of "choosing one sequence number bit size from a predetermined set of sequence number bit sizes; and sending a new data frame comprising a sequence number having a number of bits equal to said one sequence number, wherein

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the sequence number corresponds to one of the information bytes," in combination with other limitations, as specified in the independent claim 20.

Regarding claims 26-32, the prior art of the record fails to teach or suggest in a wireless communication system, a method of receiving a stream of information bytes comprising the steps of choosing further comprises the sub-steps of "a.1) sending a prior RLP ACK comprising an RLP sequence number  $V(R)$  to a data sender; a.2) advancing said RLP sequence number  $V(R)$  by a predetermined sequence number window size to produce an advanced  $V(R)$ ; a.3) receiving an RLP new-data frame from said data sender having an RLP sequence number  $V(S)$ ; and a.4) choosing said acknowledgement frame type based on whether said  $V(S)$  is more window size is 128," in combination with other limitations, as specified in the independent claim 26.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuongchau Ba Nguyen whose telephone number is 571-272-3148. The examiner can normally be reached on Monday-Friday from 10:00 a.m. to 2:00 p.m..


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Phuongchau Ba Nguyen  
Examiner  
Art Unit 2665

**DUCHO  
PRIMARY EXAMINER**

  
10-3-05